

ORIGINAL

Before the  
Federal Communications Commission  
Washington, D.C. 20554

In the Matter of

Improving Public Safety in Communications in the 800 MHz Band	)	WT Docket 02-55
	)	
	)	
Consolidating the 800 and 900 MHz Industrial/Land Transportation and Business Pool Channels	)	
	)	
	)	
Amendment of Part 2 of the Commission's Rules Allocate Spectrum Below 3 GHz for Mobile and Fixed Services to Support the Introduction of New Advanced Wireless Services, including Third Generation Wireless Systems	)	ET Docket No. 00-258
	)	
	)	
Petition for Rule Making of the Wireless Information Networks Forum Concerning the Unlicensed Personal Communications Service	)	RM-9498
	)	
	)	
Petition for Rule Making of UT Starcom, Inc. Concerning the Unlicensed Personal Communications Service	)	RM-10024

FILED/ACCEPTED  
OCT 30 2007

Federal Communications Commission  
Office of the Secretary

To: The Commission

Motion to Strike

The City of Boston ("Petitioner"), lead petitioner in the Petition for Partial Reconsideration ("Petition") of the Commission's Second Memorandum Opinion and Order in Improving Public Safety Communications in the 800 MHz Band, *Second Memorandum Opinion and Order*, WT Docket No. 02-55, FCC 07-102 (rel. May 30, 2007) (*MO&O*), hereby moves to strike Sprint Nextel's Opposition, dated October 16, 2007, as sorely out of time. In support, Petitioner submits:

Petitioner tendered the Petition on June 14, 2007. Under Section 1.45(b), the Opposition should have been filed, if at all, by June 25, 2007. The Commission may waive Section 1.45(b)

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of its rules if asked. To its own detriment, Sprint Nextel failed to ask the Commission to waive the filing requirement.

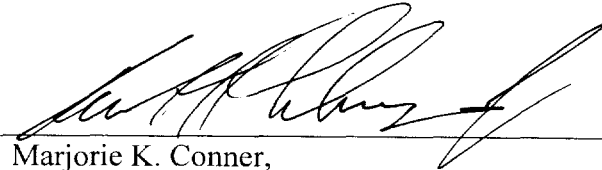
Rather, Sprint Nextel in its hubris, expected the Commission to accept its Opposition whenever Sprint Nextel got around to filing it. This cavalier attitude toward the Commission's filing requirements cannot be condoned.

Petitioner respectfully requests that the Commission strike Sprint Nextel's Opposition and proceed, forthwith, to a determination of the merits of the Petition.

Respectfully submitted,

THE CITY OF BOSTON, MASSACHUSETTS

By: \_\_\_\_\_

  
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